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QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-sixth year

Letter dated 13 March 1991 from the Chargé d'affaires a.i. of Cyprus to the United Nations addressed to the Secretary-General

I beg to refer to the letter by the Permanent Representative of Turkey addressed to you (A/45/904-S/22028) and enclosures emanating from the illegal entity created in the occupied part of Cyprus by Turkey in direct contravention of United Nations Security Council resolutions 541 (1983) and 550 (1984).

Since Turkey has recently launched a campaign of misinformation concerning the substance of the latest Security Council resolution on Cyprus, 649 (1990), a reply is called for.

The Turkish allegations attempt to create the impression that Turkey and the Turkish Cypriots have accepted resolution 649 (1990) in all aspects and that the Government of Cyprus is opposing its application. This is far from the truth.

It might be recalled that resolution 649 (1990) was adopted at the request of the Secretary-General to the Security Council following the impasse created by Mr. Denktash in New York in February 1990 with his demand for a recognition of "two peoples" in the island of Cyprus and a separate right of self-determination for the Turkish-Cypriot community.

In fact, the United Nations Secretary-General, in a statement on 2 March 1990, clearly placed the responsibility for the collapse of the dialogue on Mr. Denktash when he said: "In the course of our discussion Mr. Denktash stated that the term 'communities' be used in a manner that is synonymous with the term 'peoples', each having a separate right to 'self-determination' a terminology that is different from that used by the Security Council has thus posed more than a semantic problem. Unless acceptable to both sides, any change in terminology could alter the conceptual framework to which all have thus adhered".

The provisions of this very carefully drafted resolution constitute an unequivocal repudiation of these claims by Mr. Denktash and Turkey. The thrust of its contents, thus, amounts to a clear condemnation of their unattainable claims and reaffirms the basis for the intercommunal negotiations enhancing the role of the Secretary-General in his mandate for good offices.

The substance of the Cyprus problem has been addressed by a number of decisions of the United Nations including mandatory resolutions of the Security Council covering all aspects of the Cyprus problem. These resolutions are specifically recalled by resolution 649 (1990) and it might be pertinent to recollect the provisions of a number of Security Council resolutions addressing the Cyprus problem:

(a) Resolution 367 (1975)

"1. Calls once more on all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and urgently requests them, as well as the parties concerned, to refrain from any action which might prejudice that sovereignty, independence, territorial integrity and non-alignment, as well as from any attempt at partition of the island or its unification with any other country.

(b) Resolution 541 (1983)

"1. Deplores the declaration of the Turkish Cypriot authorities of the purported secession of part of the Republic of Cyprus;

"2. Considers the declaration referred to above as legally invalid and calls for its withdrawal;

...

"7. Calls upon all States not to recognize any Cypriot State other than the Republic of Cyprus;"

(c) Resolution 550 (1984)

"The Security Council,

...

"2. Condemns all secessionist actions, including the purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership, declares them illegal and invalid and calls for their immediate withdrawal;

"3. Reiterates the call upon all States not to recognize the purported State of the 'Turkish Republic of Northern Cyprus' set up by secessionist acts and calls upon them not to facilitate or in any way assist the aforesaid secessionist entity;".

These resolutions and the high-level agreements have been blatantly and systematically violated by Turkey in contravention of its obligations according to Article 25 of the Charter of the United Nations. In resolution 649 (1990), the Security Council "reaffirmed its support for the 1977 and 1979 High-Level Agreements between the leaders of the two communities in which they pledged themselves to establish a bicommunal Federal Republic of Cyprus that will safeguard its independence, sovereignty, territorial integrity and non-alignment, and exclude union in whole or in part with any other country and any form of partition or secession".

The said provision clearly rejects the Turkish attempts to introduce new partitionist demands in the form of the so-called separate right to "self-determination" and the "two peoples" theory, and stresses the exclusion of partition or secession, while reaffirming the objective of the establishment of a bicommunal Federal Republic of Cyprus. The frequent reference in the resolution of the terms "communities" also provides a silencing reply to the Turkish preconditions.

The Government of the Republic of Cyprus has expressed its acceptance of resolution 649 (1990) and its readiness to abide by its provisions. On the contrary, Turkey continues to contravene all United Nations resolutions with the continuation of the occupation of part of the Republic and at the same time making statements and taking actions that demonstrate their determination not to abide by their Charter obligations. They also incredibly interpret the resolutions as recognizing the existence of two "peoples" and two "States" in Cyprus (see annex with recent statements by Turkish and Turkish Cypriot officials). In addition steps have already been taken to prepare the ground for the settlement of Varosha by people other than its inhabitants, in flagrant violation of the provisions of Security Council resolution 550 (1984).

Despite the provocative actions of the Turkish side, which are calculated to undermine the mission of good offices of the Secretary-General in defiance of Security Council resolution 649 (1990) and all other relevant Security Council resolutions, the Government of Cyprus remains committed to a bicommunal federal solution to the Cyprus problem on the basis of the high-level agreements and through the full implementation of all the Security Council resolutions on Cyprus, including resolution 649 (1990). Such a solution should provide the withdrawal of the Turkish troops and settlers, return of refugees, should safeguard the political independence and territorial integrity of Cyprus and should fully protect and guarantee the human rights and fundamental freedoms of all Cypriots.

We, therefore, call upon Turkey to return to the negotiating table in good faith and to implement all United Nations resolutions, including resolution 649 (1990).

I should be grateful if the present letter were circulated as a document of the General Assembly, under item 43, and of the Security Council.

(Signed) Petros EFTYCHIOU
Chargé d'affaires a.i.
Permanent Mission of Cyprus
to the United Nations

ANNEX

Recent statements of the Turkish side

1. Letter of Mr. Denktash to the Secretary-General of the Commonwealth dated 26 November 1990:

"... We are in the twenty-seventh year of the Cyprus problem partly because most of those interested in its settlement take a prototypal approach and refuse to look into the origin of the conflict, thus, discovering the crux of the differences that divide the two national peoples of the island".

"... Now a new partnership has to be set up; one which will be based on the absolute equality of the two sides and prevent a recurrence of past sufferings. The equality of the two sides has been reconfirmed most recently by the United Nations Secretary-General in his report of 8 March 1990 to the Security Council. In that report the Secretary-General underlined that Cyprus is the common home of the Turkish Cypriots and Greek Cypriots and that the relationship between them is not one of majority and minority but one of equals".

"... We are not going to sacrifice our national identity, nor our right of self-determination for the sake of an artificial 'unity'".

2. R. Denktash, Yeniduzen, 5 December 1990

"The ground for the establishment of a federation does not exist in Cyprus and it must be abandoned. No matter what anybody says we shall not turn back on the road we are following, we shall not change our course".

3. A. K. Alptemocin, Turkish Foreign Minister during his visit to the occupied area: Bayrak radio, 8 December 1990

"There is no difference between our views and those of Mr. Denktash. Turkey is for a comprehensive solution and there cannot be concessions on partial issues. There cannot be agreement on isolated issues".

4. Letter dated 16 January 1991 from Mr. Denktash to the Secretary-General of the Council of Europe

"... Our appeal to you involves legal and moral arguments in support of the fact that even long before November 1990, there was no joint Government of Cyprus competent to represent both of the two peoples of the island".

5. A. K. Alptemocin, Yeni Gun, 30 January 1991

"After the crisis, as seen in the strengthening European trends for patterns on National equality, as in the case of the Czech and Slovak Federal Republic, a federal and confederal state structure based on absolute equality of the Turkish and Greek Cypriot communities".

6. Foreign Ministry Spokesman, Murat Sungar, Anatolian ... Agency, 6 February 1991

"The true world knows that this problem can only be solved through an agreement between the two equal peoples of the island. The goodwill mission of the United Nations Secretary-General is also directed to this end. Security Council resolution No. 649 (1990) calls for an agreement to be reached through free negotiations within the framework of equality".